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a publication of the Wisconsin Judiciary

The Third Branch



Chief Justice Shirley S. Abrahamson, center, addresses the audience gathered to hear oral argument during the Supreme Court's Justice on Wheels visit to Monroe in Green County on Nov. 5. Also pictured, from left to right, are justices Annette Kingsland Ziegler, David T. Prosser, Ann Walsh Bradley, N. Patrick Crooks, Patience Drake Roggensack and Michael J. Gableman. The visit marked the Court's 23rd Justice on Wheels trip since 1993.

Supreme Court draws crowd in Green County

About 250 people turned out to watch oral arguments at the new Green County Justice Center when the Wisconsin Supreme Court made an historic visit there Nov. 5. Following tradition, the Court opened its visit with a welcome ceremony that included state legislators, county board supervisors and other local elected officials and community leaders.

The Court also presented awards to three local fifth graders who participated in the Supreme Court Essay Contest. The contest has been run since 1995, and proves to be a highlight of each of the Court's trips. The top three essayists received plaques signed by all seven justices, and the first-place

winner read her essay aloud for the Court and audience. This year, the first-place winner was Allison Brennan of St. Victor School in Monroe; second place, Henry Schluesche of St. Victor School; third place, Bryce Shimko of Albrecht Elementary School.

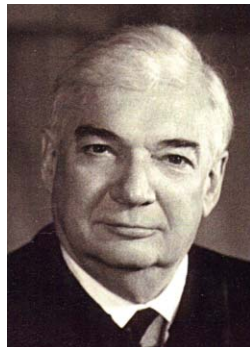
The justices also attended a luncheon at Turner Hall hosted by the Green County Bar Association and addressed a large gathering at the Behring Senior Center.

This was the Supreme Court's 23rd trip as part of Justice on Wheels, which was launched in 1993 to help improve public understanding of the Supreme Court. Each term, a different location is selected. ■

OBITUARIES

Judge John L. Coffey U.S. Court of Appeals, Seventh Circuit Wisconsin Supreme Court Milwaukee County Circuit

U.S. Court of Appeals Judge and former Wisconsin Supreme Court Justice John L. Coffey passed away on Nov. 10 at the age of 90. Coffey served on the Wisconsin Supreme Court from 1977 until his appointment to the U.S. Court of Appeals Seventh Circuit bench by President Ronald Reagan in 1981.



Judge John L. Coffey

Coffey served in the U.S. Navy during World War II. A graduate of Marquette University and Marquette University Law School, Coffey was appointed city attorney for Milwaukee in 1949. He was elected a civil court judge for Milwaukee County in 1954, and elected a municipal judge in 1960, before being

see **Obituaries** on page 15



In carrying out his duties as a U.S. Air Force colonel, District 10 Court Administrator Scott K. Johnson, (AKA: Col. Scott Johnson, Mission Support Group commander, 128th Air Refueling Wing), greets President Barack Obama Nov. 3 at the Wisconsin Air National Guard base in Milwaukee. Obama was in Milwaukee to make an appearance at the Delta Convention Center downtown. Johnson, who was promoted to colonel by the Air Force earlier this year, has served in the military for more than 30 years and been deployed more than 40 times. Greeting the president, who also serves as commander in chief of the military, was a distinct honor, Johnson said.

Photo Credit - Staff Sgt. Jeremy M. Wilson, 128th Air Refueling Wing

Director's column: Legislative agenda requires proactive approach

By A. John Voelker, Director of State Courts

Proactive. The dictionary defines it as “acting in advance to deal with an expected difficulty.” Stephen Covey, author of *The 7 Habits of Highly Effective People*, notes that “If you’re proactive, you don’t have to wait for circumstances or other people to create perspective expanding experiences.



A. John Voelker

You can consciously create your own.”

On the same topic of preparation, Bobby Knight stated, “The will to win is not as important as the will to prepare to win.”

As campaigns end, and the results of the November election become final, a new Legislature will start its work in January.

If this session is like others we could see as many as 1,300 bills introduced over the coming months. A number of these bills will likely affect the courts to some extent, some significantly. As the bills are introduced and work their way through the legislative process, we will monitor and react to these bills, with the guidance of the Judicial Conference Legislative Committee.

However, to make the most of a legislative session, we also need to be proactive. We need to act in advance. We need to create our own legislative agenda.

Since July, the Legislative Committee has been soliciting ideas for legislative change. Changes that address system needs or alleviate systemic problems, both large and small. Some ideas have already been drafted into bills that can be introduced at the start of the session. Other issues are being studied and monitored so we are prepared to act when necessary.

Some of the highlights of the current legislative agenda include drafts on the following topics:

- Expunction - expand Wis. Stat. § 973.015 to include forfeiture actions, dismissed and acquittal cases; petition may be brought at any time regardless of age. While this bill is drafted, revision is likely to continue, based on feedback.
- Judicial Council - comprehensive revision to the Criminal Code, which is still being revised for possible introduction sometime during the legislative session.
- Judgeship Bill – The Committee of Chief Judges and its workload subcommittee will continue to evaluate judicial workload and the number of judicial officers required to carry out the work of the courts.
- Statutory Clean-up bills, including:
 - Change s. 230.33(1), Wis. Stats., to prohibit a person appointed to a judicial vacancy by the governor from taking an unpaid leave of absence from a state agency.
 - Amend s. 972.02(2), Wis. Stats., to bring its provisions in line with case law outlawing six-person juries in criminal misdemeanor cases.

- Remove an outdated provision in s. 59.40(2)(j), Wis. Stats., relating to lists of notaries public.

The Legislative Committee hopes to finalize the legislative agenda by the end of the year. It is our hope that starting the legislative session with specific ideas will enhance our potential for success. Your participation, either with new ideas, comments on current bill drafts, or by communicating with your local legislators will also contribute to our success.

Another area in which we are being proactive involves the state budget, which will be introduced by the governor in February. Our budget, developed with the guidance of the Supreme Court’s Planning and Policy Advisory Committee (PPAC), reflects our initiatives as a court system and as a partner with Wisconsin counties.

Initiatives in our 2013-15 state budget include:

- **Judicial Compensation:** Requests a 6.54 percent increase to judicial salaries, which would bring salaries closer to the national average. This is a significant institutional issue. A recent editorial in the *Wisconsin State Journal*, which supports the idea of pay raises for state employees, noted: “No operation public or private can keep talent if compensation languishes for too long.” The editorial went on to note that “a bump in pay is warranted for a job well done.”
- **Consolidation and Formula Revision of the County Circuit Courts’ Financial Assistance Programs:** Combine the circuit court support payment program and Guardian ad Litem payment program into one program to add \$7.3 million in each year of the biennium. Create a new formula to divide the combined funds using the number of circuit court branches, the judicial need, and the amount of collection by each county.
- **Small claims clerk of circuit courts fee:** Raise to \$31 to help the counties recoup the amount of money they lost when the small claims jurisdictional limit was changed.
- **Staff Attorney Position/Court of Appeals:** Add a new staff attorney position with the Court of Appeals to assist with a shift in the workload.
- **Non-judicial Compensation Plan:** Change to provide access to the non-judicial compensation money that is put aside for merit pay in the other branches of government. This will allow us to access that fund for funding increases for non-judicial employees.
- **Out-of-State Interpreter Travel:** Eliminate the in-state-only restrictions placed on travel that is reimbursed to out-of-state interpreters per Wis. Stat. § 814.67(1)(c) to reimburse out-of-state interpreters for their out-of-state mileage up to 200 miles – 100 miles each way.

At times, the legislative process can be challenging or discouraging. But, as Michael Jordan said: “If you accept the expectations of others, especially negative ones, then you never will change the outcome. ■

Wisconsin Law Foundation presents portrait of Justice Bablitch to citizens of Wisconsin



A portrait of the late Supreme Court Justice William A. Bablitch was presented to the Wisconsin Supreme Court during a brief ceremony Nov. 15. Among those who attended, from left, were Susan Axelrod, Jon P. Axelrod, Kristin Crooks, Ann Milne, Justice Ann Walsh Bradley, Chief Justice Shirley S. Abrahamson, Justice N. Patrick Crooks, and Justice David T. Prosser Jr.

The Wisconsin Supreme Court recently accepted a portrait of the late Justice William A. Bablitch from the Wisconsin Law Foundation, the charitable and educational arm of the State Bar of Wisconsin. The portrait, accepted on behalf of the Court by Chief Justice Shirley S. Abrahamson, will hang with other portraits of former justices in the state Capitol.

During a brief dedication ceremony on Nov. 15, Justice N. Patrick Crooks spoke on behalf of the Court. He recalled a time when his friend Bablitch was addressing a group of citizens in the Supreme Court Hearing Room: "What came across was how much he loved the whole fiber of the Court, and it made a difference in my own feeling for the court. He also served in the Legislature, as the majority leader in the

state Senate. We are honored to accept this portrait on behalf of the Court," Crooks said.

Bablitch's widow, Ann Milne, acknowledged the Court and the foundation for honoring her husband, "Each one of you has played a significant and unique part in Bill's distinguished legal and public service career. It is an honor to know that his commitment to the state of Wisconsin and its citizens will be memorialized through this lovely portrait and its placement in our state Capitol. Thank you," Milne said.

Bablitch served on the Supreme Court from 1983 to 2003. In 1965, the Wisconsin Law Foundation began working with the Wisconsin Supreme Court to obtain pictures of all the justices who had served on the court. ■

State Bar seeks *Our Courts* volunteers

The State Bar of Wisconsin is seeking volunteer judges to serve as presenters for *Our Courts Wisconsin* – a public outreach and education program developed to help improve understanding of the role of the courts among adults.

The program is based on the *Our Courts* program in Colorado, which has provided more than 350 educational presentations to more than 10,000 Colorado residents in the past five years.

The State Bar's Public Education Committee hopes to replicate *Our Courts Colorado* in which judges and other legal professionals make planned visits and formal informational presentations to community groups. The program is scheduled to begin in Wisconsin in April 2013.

"Judges are often recognized as community leaders. The more judges who participate in the program, the more effective it will be," said Reserve Judge Edward E. Leineweber, chair of the *Our Courts*' speakers recruitment subcommittee.

Judges interested in volunteering for *Our Courts* should contact Leineweber by phone, (608) 604-6515 or by e-mail: edleine@countyspeed.com The State Bar provides training and materials. ■



*Reserve Judge Edward E. Leineweber discusses *Our Courts* volunteer opportunities with fellow judges during the 2012 Annual Meeting of the Wisconsin Judicial Conference on Nov. 7 in Lake Geneva.*

The Third Branch Sports



www.wicourts.gov

Judges ditch robes to compete in marathons, triathlons

When *The Third Branch* began receiving reports that several Wisconsin judges had ditched their robes for athletic gear during the summer, we decided it was worth a little fanfare. In fact, we created our own sports page to trumpet the activity. While we don't anticipate ESPN will be picking up any of our coverage, we hope to recognize judges who take on a challenge.

We've collected a few items for this edition, but would like to add anything we missed in a future edition. Please send us a note if you've recently been in an athletic competition or know a fellow judge who has and it's not included.

Here's a wrap up of some the competitive accomplishments, along with a few interesting side notes.

District I Court of Appeals Judge Kitty K. Brennan competed in two sprint-distance triathlons, including the Door County Triathlon at Egg Harbor, and the Danskin Triathlon at Pleasant Prairie.

Sprint triathlon, or mini-triathlons typically consist of a quarter- or half-mile swim, a 15K or 18K bicycle ride and about a 5K run. By comparison, an Ironman Triathlon consists of a 2.4 mile swim, a 112-mile bike race, and a 26.2-mile run.

Brennan said she started doing sprint triathlons 10 years ago at the encouragement of **Milwaukee County Circuit Court Judge Mel Flanagan** who also ran the events. Flanagan has not competed recently in a triathlon, Brennan said, but made a clandestine appearance at Pleasant Prairie.

"Judge Flanagan was not signed up, but came to the event, ducked through the barricades and ran just the running leg with me for moral support. She ducked back out before I ran through the timing arch at the end," Brennan said.

(For obvious reasons, *The Third Branch* did not seek a photo of this triathlon-crashing activity).

Brennan, who has been a runner for 40 years, said she enjoys the variety of training involved in triathlons.

Supreme Court Justice Annette Kingsland Ziegler also participated in the Pleasant Prairie sprint event, where she spotted Brennan at the finish line. The two were not aware of each other's participation before the event, Ziegler said, but they posed for a photo afterward.

(Again, for obvious reasons, *The Third Branch* did not inquire as to who may have crossed the finish line first).

Ziegler, who also participated in some recent organized runs and bicycle events, said she decided to compete in the sprint triathlon at the prompting of friends, and because she

enjoys the personal challenge.

Also competing at the Door County event was **Eau Claire County Circuit Court Judge Lisa K. Stark**, who has run two marathons and three half-marathons since she began running competitively at age 48.

Stark, now 55, said she decided to try the sprint triathlon to provide some variety in her workout routine and because Brennan and Flanagan were enthusiastic.

"I loved the experience. Everyone who participated was warm, welcoming and helpful. It was nice to have Judge Brennan there as she was able to prepare me for what to expect and help calm my nerves at the beginning of the race. I met some new friends as well. I will definitely participate in this and other sprint triathlons in the future," Stark said.

Reserve Judge Michael J. Mulroy was also spotted competing in the Door County sprint triathlon, but that was just a small sample of his recent athletic endeavors. He also competed in the Olympic distance Got Energy triathlon in Salem, the Rails to Trails full marathon in Norwalk, four half marathons and two bicycling time trials, including 26- and 50-mile rides.

Mulroy, who is 71 years old, competed in his first triathlon at age 67. He had a background in running marathons, but competitive swimming and bicycling were new to him at the time. Mulroy said he finds that training in three disciplines is easier on the body than training in one area alone.

Mulroy is highly competitive in his age group,



Supreme Court Justice Annette Kingsland Ziegler, right, and District I Court of Appeals Judge Kitty K. Brennan at the Danskin Triathlon in Pleasant Prairie.



District I Court of Appeals Judge Kitty K. Brennan, left, and Eau Claire County Circuit Court Judge Lisa K. Stark at the Door County Triathlon in Egg Harbor.

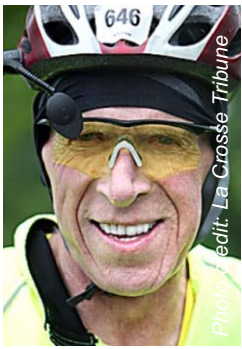
Sports *continued from page 4*

Photo credit: La Crosse Tribune

Judge Michael J. Mulroy

but he said there's a standing joke about that: "Most of the people I'm competing against in my age group are dead," he said. Mulroy didn't seem to appreciate it much, however, when organizers of Octoberfest half marathon in La Crosse included a 70- to 120-years-old age group.

Mulroy, who served 24 years on the La Crosse County bench, went to reserve status in 2007 – the same year he competed in his first triathlon.

Judge J. David "Dave" Rice, Monroe County Circuit Court, participated in his 25th annual Grandma's Marathon held during June in Duluth – the 46th marathon he's run. Rice, now 66 years old, also has competed in the Boston Marathon, the New York Marathon, Twin Cities Marathon (13 times) and the Chicago Marathon (three times). Rice also ran Stoughton's annual Syttende Mai run this year in May, as he has for each of the last 27 or 28 years.

"I took up running when I was my mid-30s upon realizing that my basketball and softball 'careers' were over, but I still wanted to do something athletic. I played golf back then but was never very good, as much as I loved it, and it provided no real conditioning. I soon learned that you can run 10 miles a lot faster than you can play a round of golf. I gave up golf and have been running ever since. I run about 1,000 miles per year. When I'm 'in training,' I run five times a week. The rest of the time, I try to run three or four times per week. I have been lucky to have very few injuries, and I am pain free before, during and after runs," Rice said.

Rice's times aren't as fast as they used to be in competition, and he prefers sticking closer to home. But he enjoys the camaraderie and belongs to running clubs in Sparta and La Crosse.

Dane County Circuit Court Judge William E.

Hanrahan decided to run the Twin Cities marathon as a way to stay active after dislocating his arm while snowboarding in Colorado last year, he said.

"It had been about 22 years since my last marathon, but just like any mid-life crisis, somehow this seemed like a good plan. My goal was a race time of 3 minutes, 45 seconds. I came up short however,



Judge William E. Hanrahan, Dane County Circuit Court, recently competed in the Twin Cities Marathon.

when, more than half way into the race, I re-injured my calf muscle. Although I was ultimately able to muster a brief sprint toward the finish line, I was pretty beat up and my time was a disappointing 4:22:05," Hanrahan said.

St. Croix County Circuit Court Judge Edward F. Vlack III also competed in the Twin Cities Marathon, which he has run each year since 2000.

"I usually finish around 4:45 to 4:50. My training this year was not as much as I would have liked, so hoped to finish in 5 hours. I was on pace for a 4:45, but due to standing in line for a couple 'pit stops,' I finished in 4:59," said Vlack, who also has run the Med City Marathon in Rochester, Minn. in past years.

The Third Branch requested photos of Vlack in action but was advised: "I am afraid my photos are so ugly that they are not allowed to be sent over the Internet."

Chippewa County Circuit Court Judge Roderick A. Cameron recently ran two half-marathons, including the Pine Line in Medford in April and Pure Water Days in Chippewa Falls in August and the five-mile Buckshot Run in Eau Claire.

Cameron ran track in high school but didn't start running on a regular basis again until 1997. Since then, he has run about a dozen half-marathons and 15 full marathons, including the Boston Marathon in 2006. He belongs to the Indianhead Track Club in Eau Claire and a subgroup of that club, the Chippewa Six Pack in Chippewa Falls.

"I run not only because I enjoy running, but for the physical benefits and for the companionship of those I run with. Now that I am in my early 60s, I find it easier to place in races," Cameron said. He placed third in the 60-69 age group at the Pine Line race and second at Pure Water Days.

"I ran the Pure Waters Day half marathon with my daughter. Although I ran much slower than usual, it was the most enjoyable race I have ever run with over two hours of quality time!" Cameron said.

(Editor's Note: *The Third Branch* is favorably impressed by anyone able to maintain forward motion in a vertical posture, let alone run, ride or swim for more than an hour or two, let alone five hours or more.) ■

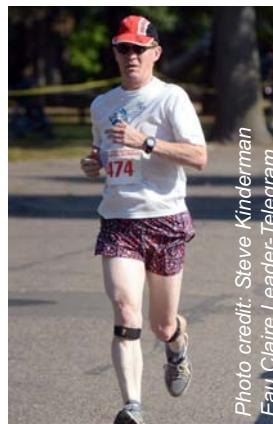


Photo credit: Steve Kinderman Eau Claire Leader-Telegram

Chippewa County Circuit Court Judge Roderick A. Cameron competes at the Buckshot Run in Eau Claire.

The Third Branch Sports



Fall
2012

RETIREMENTS

**Judge Thomas P. Donegan
Milwaukee County Circuit Court**

Although Milwaukee County Circuit Court Judge Thomas P. Donegan said he never thought he would be mistaken for



Judge Thomas P. Donegan

being the greatest judicial mind in the history of Wisconsin, he is proud of the fact that he has tried to treat everyone who came before his bench with respect, no matter why they were there.

“The court can be a strange and frightening place,” he said, and showing respect for everyone in his courtroom has been his number one goal for the past 20 years.

Donegan said he will miss the important role of being a judge.

“Judges perform an important function in society of maintaining the balancing act between chaos and order,” Donegan said.

Donegan was first elected to the Milwaukee County bench in 1992, and was reelected three times. He spent 10 of his 20 years in the children’s court, where he said he witnessed dramatically painful moments, including child placements cases where mothers were addicted to drugs or would not leave abusive relationships.

“The life experiences of poor young children in this world are frightening,” Donegan said, reflecting on his time in the children’s court. He said he noticed an increase in child trafficking, drug use, and the “casual use of guns” by young people.

Donegan said when he moved to the civil bench, he thought the cases would be more dry, but was soon proven wrong. He said he found those cases to very human, especially after spending weeks at times with the people involved. He recalled one case where a young mason’s assistant was severely injured on the job after a fall. The jury could not find liability, and there was nothing further that could be done for him.

A graduate of St. Louis University and New York University Law School, Donegan served as an alderman for the city of Milwaukee and as an attorney for Legal Action of Wisconsin before taking the bench. He is a member of the Wisconsin Trial Judges Association and the Milwaukee Bar Association. He is a former member of the National Council of Juvenile and Family Court Judges and the Milwaukee Child Welfare Partnership.

Donegan, who was recently married, plans to find some warmer weather to enjoy the winter months. After that, he says he will plan his future work as a reserve judge and with various volunteer opportunities.

**Judge Vincent K. Howard
Marathon County Circuit Court**

Marathon County Circuit Court Judge Vincent K. Howard has had enough memorable moments during his 30 years on the bench that he is contemplating writing a book. Among them: the high-profile case in which parents were convicted of reckless homicide for the death of their ill daughter after praying for the girl instead of seeking medical attention; and an arson case where a man set fire to 39 houses to cover his

tracks when breaking into garages looking to steal antlers.

Howard, who was first appointed in 1982, will be stepping down from the branch 3 bench on Feb. 1, 2013. During that time, he said he has noticed a distinct change in the severity of cases. When he first took the bench, the most serious cases they saw were burglaries, mostly committed by juveniles after school when their parents were at work. Now, there are homicide cases in the county, and more emphasis on OWI cases and domestic violence cases, which he said result in the need for different judicial skills.

Howard said being a judge has given him a sense of satisfaction that he was doing something for the community. He hopes that he has had a positive impact on the community and individuals who have come before his bench, especially the children involved in custody and CHIPS cases. He said he will miss seeing people in his courtroom each day – “some of which make your day, either for good or bad.”

Howard has always enjoyed the law, and said he will also miss doing legal research. Howard attended UW-Marathon and UW-Madison, and received his law degree from Marquette University Law School. Prior to his appointment to the bench, he worked in private practice. He is a former presiding judge and former member of the Family Benchbook Committee. He is a founder of the Marathon County Mediation Program and the Marathon County Co-Parenting Program.

Howard said he is kind of nervous about his retirement, but felt it was time. He plans to spend more time reading and with his wife and family. His interest in family genealogy has led him to discover the street where his forebearers left England. A trip to visit that street may also be part of his retirement plans.

**Judge Gregory A. Peterson
District III Court of Appeals**

District Court III Court of Appeals Judge Gregory A. Peterson said he is looking forward to seeing what life is like after judging. Peterson, who retired Nov. 30, said he has held a job since he was 12, and will miss the structure having a job provides in his life, now that he finds himself “suddenly unemployed.”

Peterson, who has served in the judiciary for 29 years, said he was most proud of the work he did in his four years as chair of the Criminal Jury Instruction Committee. In arguing the need for plain language in the jury instructions, an outside expert was brought in to convince all of the committee members that the revisions were necessary because lay people could not understand



Judge Vincent K. Howard



Judge Gregory A. Peterson

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RETIREMENTS *continued from page 6*

them.

His belief in the use of plain language followed him to the appellate court, where he insisted on writing short opinions in plain English that everyone who read them, including the litigants and general public, could understand.

“Read through all of the opinions I have written,” he said. “You will not find one word in Latin.”

Peterson was first appointed to the Eau Claire County Circuit Court bench in 1983. He said the appointment surprised him as much as anyone else because everyone had expected the county district attorney to be appointed.

Early in his career, he said he presided over a case where two young teens were convicted of killing a man after dropping a 35-pound rock onto the interstate from an overpass. The boys had been playing around, dropping rocks to hear the sound they made as they hit truck beds, but the size of the rocks got bigger and bigger, until eventually one went through the windshield of a passing SUV. Despite trying to move on after a case was finished, Peterson said this case has always been one that he could not put behind him, because there was no winner. At the time, due to the lack of restorative justice resources, he was only able to impose a sentence by the book. The outcome did not satisfy the families of the victims or of the teens. He said he has used this case as a reminder throughout his career to always think of new ways to handle cases.

Peterson graduated from UW-Madison, University of Iowa Graduate School, and UW Law School. He is a former District Ten chief judge and deputy chief judge. He has served on the Criminal Jury Instruction Committee, Judicial Commission, Legislative Committee, Uniform Bond Committee, and Equal Justice Task Force. He has also served as deputy chief judge for the Court of Appeals.

In 1999, Peterson won election to the District III Court of Appeals. He said the biggest difference he noticed moving from the trial to the appellate court was the much more measured pace of the appeals court. He said he now had the opportunity to really think about cases, a luxury he greatly appreciated.

Peterson said in his retirement, he would like to study the legal systems in other countries. He said he also plans to pursue some purely recreational interest, like golfing, hiking, drawing and reading.

Michael J. Bruch **Milwaukee County Court Commissioner**

After nearly 20 years as the Family Court Commissioner Michael J. Bruch retired on Oct. 1.

“Mike leaves behind a legacy of dedication to his work and service to the citizens of Milwaukee County,” said Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court.

“The family courts can be very stressful for both the litigants and the commissioners as well but Mike is known for treating those who came before him with a level of respect and understanding that is a tribute to him and to the system.”

Bruch, a graduate of Marquette University Law School, began employment with Milwaukee County as the deputy family court commissioner in 1988. He was appointed family court commissioner by the late Chief Judge Patrick Sheedy in 1995. In that role, he supervised the activities of

nine other commissioners hearing preliminary matters in divorce and child support, harassment and domestic violence restraining order requests in addition to being responsible for administrative matters and policy.

Deputy Family Court Commissioner Sandra Grady moved into Bruch’s position upon his retirement. Assistant Family Court Commissioner Ana Berrios-Schroeder was selected to become the deputy family court commissioner. Raully Sandoval, legal counsel Milwaukee County Department of Child Support Enforcement, was selected to fill her position as an assistant family court commissioner.



Michael J. Bruch

James Queoff **Brown County Register in Probate**

After more than 38 years as the register in probate for Brown County, James Queoff retired Oct. 1. While serving as the register in probate, Queoff has served as vice president of the Wisconsin Register in Probate Association, as an editor, and has also on numerous association committees. Queoff has also served 18 years on Green Bay’s Police and Fire Commission, in the U.S. Marine Corps, and was a high school varsity basketball referee for 35 years.

“I have thoroughly enjoyed my service to the residents of Brown County, Queoff said. Despite still loving the job, I will walk away proudly with a deep sense of accomplishment, and certainly the gratitude to the Brown County judiciary through all these years for their confidence in me. I will truly miss my current staff, and will never forget those who worked for me throughout the years.”

Besides several planned trips, Queoff plans to golf as many days in the week as possible, go to Brewer and Packer games and spend more time with his children and grandchildren.

Janice Marose **Calumet County Register in Probate**

Janice Marose retired June 1 after serving as Calumet County register in probate for 16 years. Marose started out working in Calumet County as a receptionist for the Human Services Department in 1989, and shortly thereafter took the part-time deputy register in probate position working under Joann Vaughn. Marose worked as Judge Donald A. Poppy’s judicial assistant and register until being appointed the full-time register in probate.

“As the register I had so many fantastic opportunities to serve the people of Calumet County and was proud of our little county. The people that serve Calumet County are special and I miss them but on the other hand, my new life is just as fun,” Marose said.

Since retirement, Marose has moved to the “northwoods” near Mercer and is looking forward to spending Christmas in the northwoods with her husband, Wayne, and son, Michael. “After a while of doing nothing, I hope to either find a little work in a cute little shop or even start my own,” Marose relates. ■

2012 Judicial Conference is forum for ideas and learning opportunities



Supreme Court Chief Justice Shirley S. Abrahamson delivers the State of the Judiciary speech on Nov. 7 at the 2012 Annual Meeting of the Wisconsin Judicial Conference at the Grand Geneva Resort in Lake Geneva. Theresa Owens, the executive assistant to the chief justice, looks on.



Milwaukee County Circuit Court Judge Mel Flanagan demonstrates a hold on Reserve Judge Timothy L. Vocke during the Personal Security for Judges presentation at the Judicial Conference.



Judge William J. Domina, Waukesha County Circuit Court, right, chats by "cell phone" with Pam Radloff, deputy director, Management Services, as part of a role-playing exercise during a session on public records at the Judicial Conference.

More than 340 people, including judges, court staff, faculty and presenters attended education and business sessions during the 2012 Meeting of the Wisconsin Judicial Conference, held Nov. 7-9 in Lake Geneva.

Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson kicked off the conference with her [State of the Judiciary](#) speech entitled: *Holding the balance nice, clear and true: Steps to building public trust and confidence*.

The speech addressed the need to shore up safeguards that help protect fair, neutral, impartial and non-partisan justice at a time when judges across the nation and in Wisconsin face politically motivated criticism for controversial decisions.

Judges risk being mistaken for politicians "unless and until we shore up the safeguards" that help us to hold the balance, Abrahamson said. She added: "A candid discussion about shoring up the safeguards must touch upon four interrelated topics: recusal, judicial elections and campaign contributions and expenditures, judicial discipline, and responding to attacks on judges."

Director of State Courts A. John Voelker delivered the [State of the Director's Office](#), which focused on the value of contributions by individual judges to the overall success of the court system. Wisconsin judges have looked to solve problems by creating initiatives and taking risks, even when faced with potential criticism, Voelker said.

"In Wisconsin, we are fortunate because circuit court judges have long taken this approach, and it continues today. Many of you, as local community leaders, have been willing to take risks and make changes to improve the justice system. You've reached out to other justice system stakeholders and worked on innovative solutions."

The conference featured more than 20 educational sessions on a range of topics, including Civil Gideon, ineffective assistance of counsel, sentence credits, extremist groups in the court setting, managing difficult litigants, contempt of court, public records, landlord tenant law, economic loss doctrine, bankruptcy and ethics, among others. ■



Director of State Courts A. John Voelker delivers the State of the Director's Office speech as Chief Justice Shirley S. Abrahamson looks on.

Rebecca G. Bradley appointed in Milwaukee

On Nov. 26, Gov. Scott Walker announced the appointment of Milwaukee Atty. Rebecca G. Bradley to the Milwaukee County Circuit Court bench.

“Appointing Ms. Bradley ensures the residents of Milwaukee County receive timely and fair service from the court system... Ms. Bradley is a great lawyer, a person of integrity, and she understands the proper role of a judge. She will be a great addition to the Milwaukee County bench,” Walker said in a press release.

Bradley, a 1996 UW Law School graduate, was most recently an attorney in the Milwaukee office of Whyte Hirschboeck Dudek S.C., where she worked in commercial, information technology and intellectual property litigation and transactions.

Her work has been recognized with numerous awards over the years. She was named one of Milwaukee’s Leading Lawyers in Business Law, Internet Law and Litigation by *M* magazine in 2012 and she was named a Rising Star attorney by *Milwaukee Magazine* in 2008 and 2010. Bradley was the 2010 recipient of the Wisconsin Law Journal’s Women in Law Award. ■



Judge Rebecca G. Bradley

Court leaders are special guests on U.S. Air Force refueling tanker

District 10 Chief Judge Scott R. Needham, St. Croix County Circuit Court, and Sara Ward-Cassady, deputy director, court operations, were special guests on a U.S. Air Force KC-135 Stratotanker, a refueling plane that brings far-flung bombing targets within reach by refueling combat aircraft in flight.

Scott K. Johnson, District 10 court administrator, hosted the tour. Johnson, who also is a U.S. Air Force colonel, is the Mission Support Group (MSG) commander for the 128th Air Refueling Wing, an Air National Guard unit based in Milwaukee. The unit supports approximately 400 airmen and women.

“The flight gave me a greater appreciation for the work

Scott Johnson is doing in the Air National Guard,” Ward-Cassady said. “It is clear to me that the dedication and commitment that characterize Scott’s work in the court system also guide his military career.”

In addition to the flight, Johnson led a tour of the installation and gave an overview of his duties, the squadrons within the MSG and the mission of the 128th Air Refueling Wing.

The Guard offers civic leader orientation flights to show appreciation to employers of Guard members and to help employers understand the role employees play in the Guard. ■



District Ten Chief Judge Scott R. Needham, St. Croix County Circuit Court, right, and Sara Ward-Cassady, deputy director, court operations, recently joined District Court Administrator Scott Johnson, a U.S. Air Force colonel, aboard a U.S. Air Force KC-135 Stratotanker. The flights are offered to help employers learn about the critical work of the Air National Guard.

Training sessions highlight need for input from children at permanency hearings

By Amy Roehl, Policy Analyst, Children's Court Improvement Program

Approximately 114 judges from each of Wisconsin's 10 Judicial Administrative Districts attended training sessions designed to promote effective and qualitative permanency hearings, encourage youth participation in court proceedings, and to identify strategies to achieve timely permanence for children in foster care.

From Aug. 16 through Oct. 19, Milwaukee County Circuit Judge Marshall B. Murray and retired Taylor County Circuit Judge Gary L.

Carlson, along with Children's Court Improvement Program (CCIP) staff, conducted the training with the specific goal of reinforcing the leadership role of the court official in conducting effective permanency hearings.

The Clocking is Ticking: Making Permanency Hearings Meaningful, a three-hour training curriculum, was developed jointly by Murray and Carlson, CCIP, the American Bar Association (ABA) Center on Children and the Law, and the Wisconsin Department of Children and Families.

Permanency hearings, for those unfamiliar with juvenile court and the child welfare system, are court proceedings for a child who has been removed from his or her home and placed in out-of-home care. The purpose of the hearing is to establish a roadmap towards a permanent family-oriented home for the child, whether it is returning home, adoption, guardianship, placement with a fit-and-willing relative, or other planned permanent living arrangement.

The training was created after a 2010 audit by the U.S. Department of Health and Human Services Children's Bureau determined that permanency hearings in Wisconsin were often perfunctory, brief, and lacking a substantive discussion about the child and parents. According to Carlson: "Too many kids are languishing in foster care and those of us in the courts with the power to make significant changes weren't paying enough attention. Judge Murray and I hope we have helped make changes in those old attitudes."

While the primary focus of the training was to inform judges and court commissioners, district attorneys and



Judge Marshall B. Murray, Milwaukee County Circuit Court, left, and Reserve Judge Gary L. Carlson, make a presentation during a district training session on permanency hearings. The training sessions, delivered statewide, were designed to reinforcing the leadership role of the court official in conducting effective permanency hearings.

corporation counsel, county agency child welfare workers, attorneys for the children and parents, and court staff were also invited to attend in order to review county practices as a multidisciplinary team. All participants from each county were seated together so they could discuss case scenarios presented in the training and at the end, develop a plan to implement the suggested best practices in their county. Participants were also provided with [materials](#), including a permanency hearing judicial checklist, a permanency hearing summary sheet, a summary of Wisconsin Act 181 and judicial bench cards created by the ABA Center on Children and the Law on how to engage youth of any age at court hearings.

Each training began with a pre-assessment where participants were

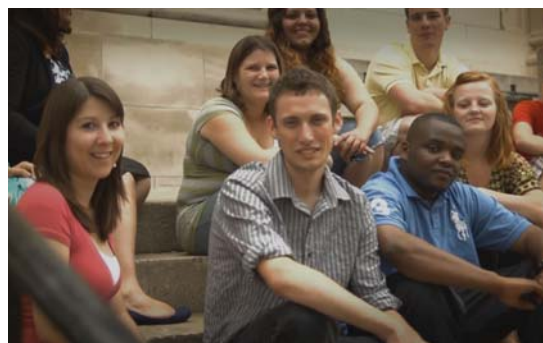
anonymously asked to respond to eight questions designed to measure attitudes regarding permanency hearings, the importance of the participant's role in achieving permanence for children, and youth participation in permanency hearings. At the end of each session, participants were asked to answer the same set of questions. Judges demonstrated the most significant attitudinal shift on whether children should and wanted to attend their

permanency hearings and also whether the permanency plan contained all the necessary information.

Carlson stated that he "was elated with the significant changes in attitudes demonstrated by the participants, especially the judges, on these significant points." For

example, before the training 44 percent of all judges either agreed or strongly agreed with the statement that children should attend their permanency hearings. At the end of the training, 91 percent of all judges agreed or strongly agreed that children should attend their permanency hearings.

Participants were shown a video, titled "[Children in Court: In](#)



These images are from a training video produced to show the importance of involving children in hearings about foster care. The Children's Court Improvement Program and the state Department of Children and Families worked with the UW-Madison Division of Information Technology to produce the video.

Milwaukee joins national model court project

By Michelle Jensen Goodwin, Director, Children's Court Improvement Program

In May 2012, a partnership was established among the Milwaukee County Children's Court, the National Council of Juvenile and Family Court Judges (NCJFCJ) and the Wisconsin Children's Court Improvement Program (CCIP) to initiate the Milwaukee Model Court Project to improve outcomes for children and families.

NCJFCJ established the Model Court Project to assist states in bringing together judges, attorneys, social workers and other professionals to identify impediments to the timeliness of court events and delivery of services for families with children in out-of-home care, and then design and implement court- and agency-based changes to address these barriers. Key values of the Model Court Project include judicial leadership, court oversight and due process, multi-system collaboration, child-focused outcomes, and system accountability.

The first step Milwaukee County took toward becoming a Model Court was to assess local practice in relation to the evidence-informed bench book *Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases*.

After reviewing the assessment findings, a multi-disciplinary advisory group, titled the Milwaukee Model Court Collaborative Team, began working toward the following three goals:

- Reduce the number of children entering out-of-home care.
- Increase court case processing efficiency.
- Empower social workers in court, which includes establishing a common understanding and definition of safety decision-making based on the publication, *Child Safety: A Guide for Judges and Attorneys*.

The Milwaukee Model Court Project was initiated by the CCIP and Milwaukee County Circuit Court Judge Marshall B. Murray, former Children's Court presiding judge. The project is co-led by Murray and Milwaukee County Circuit Court Judge Joseph M. Donald, Milwaukee Children's Court presiding judge. Additional members of the Milwaukee



Judge Marshall B. Murray

Model Court Collaborative Team include:

- Dan Barlich, clerk of Juvenile Court – Milwaukee Children's Division
- Mike Boeder, vice president, Integrated Family Services
- Mary Pat Bohn, deputy director, Bureau of Milwaukee Child Welfare
- Raeshann Canady, first assistant state public defender – Milwaukee Juvenile Division
- Elizabeth Finn-Gorski, Milwaukee Children's Court coordinator
- Arlene Happach, director, Bureau of Milwaukee Child Welfare
- Sarah Henery, legal counsel, Bureau of Milwaukee Child Welfare
- Amy Herbst, vice president of Child Welfare, Children's Service Society of Wisconsin
- Shelia Hill Roberts, chief staff attorney GAL Division – Legal Aid Society of Wisconsin
- Michelle Jensen Goodwin, director, CCIP
- Duke Lehto, private bar attorney
- EJ Maldonado, NCJFCJ Model Court liaison
- Amy Roehl, policy analyst, CCIP
- Mary Sowinski, Milwaukee County assistant district attorney – Children's Court Center
- Julia Vosper, Milwaukee County Circuit

Court commissioner

"It is the hope of those working within the 'Model Court' process that lessons learned can and will be shared with our court partners statewide because if we are going to have better outcomes for our families and children, it will have to be a statewide effort," Murray said.

"Therefore, we look forward to the next county joining us at the table to begin their journey by establishing a Model Court in their community," Murray added. ■

For more information about the Milwaukee Model Court Project, please contact Michelle Jensen Goodwin, CCIP director at michelle.jensen-goodwin@wicourts.gov or 608-266-1557.

CCIP training *continued from page 10*

[Their Own Words](#)," in which now-young adults describe their experiences in court as children in foster care. The purpose of the video was to aid judges in better understanding the needs and emotions of children involved in court and that the decisions made at permanency hearings are critically important to the kids. According to Carlson, "this video was a critical component to the training and had a significant impact on the participants."

After viewing the video, all participants were encouraged to anonymously submit in writing their thoughts about the video. Many attendees noted that they had not included youth in their hearings and that this video challenged their assumptions that youth did not want to participate.

One participant wrote: "I have not been listening. I need to spend more time with the children. I have been doing these hearings all wrong." Others listed ways in which they plan to make court less formal, more inclusive, and less intimidating for children and youth. Another participant noted: "After seeing the kids on video, it reminded me how

scary a courtroom can be. Children feel underappreciated in court. Kids want to be asked questions and given more of an opportunity to give an opinion. I better be willing to make sure the kids do express themselves in court."

CCIP and the Wisconsin Department of Children and Families worked with the UW-Madison Division of Information Technology to produce the unscripted video with a grant from the Casey Family Foundation.

Overall the program resulted in a significant shift in attitudes and knowledge related to permanency hearings. At the beginning of the training, 77 percent of judges agreed or strongly agreed that permanency hearings were valuable court proceedings; by the end of the training, 95 percent of all judges agreed or strongly agreed with this statement.

In the coming months, CCIP will follow-up with participants to learn whether the suggested strategies have been implemented at the county level and whether these attitudinal changes have taken hold and translated into more effective practice since the training. ■

Team attends language access summit

A five-member team from Wisconsin traveled to Houston, Texas on Oct. 1-3 to attend a National Summit on Language Access in the Courts sponsored by the National Center for State Courts (NCSC). Nearly 300 court leaders from 49 states, three territories and the District of Columbia discussed solutions to improving and ensuring access to justice for litigants with limited-english proficiency (LEP).

Wisconsin's team consisted of Supreme Court Chief Justice Shirley S. Abrahamson; Director of State Courts A. John Voelker; Trempealeau County Circuit Court Judge John A. Damon; Deputy Director, Court Operations, Sara Ward-Cassady; and Interpreter Program Manager Carmel Capati.

Damon is the new chair of the Committee to Improve Interpreting and Translation in the Courts, recently replacing Judge Ralph M. Ramirez, Waukesha County Circuit Court, who served as committee chair since 2007.

Funded by a grant from the State Justice Institute (SJI), this first-of-its-kind summit allowed state court leaders to share successful strategies and evidence-based practices, plan system improvements, and discuss approaches to pursue greater consistency across jurisdictions on policies related to interpretation in the state courts.

Major themes of the conference included training for judges and court personnel; translation issues and best practices; establishing and enhancing credentialing programs for interpreters; funding and authorization for interpreter programs; use of technology to increase efficiency; collaboration models to increase available resources; and outreach efforts.

Damon and Capati presented two sessions with Nevada District Court Judge Valerie Vega and Nevada Supreme Court Services Analyst Andrea Krlickova on "Training

Judges and Court Personnel." It was standing-room only during both sessions, which demonstrated the high level of interest and need for judicial training around the country. During their portion of the talk, Capati and Damon showed short videos on "Judicial Mannerisms which Make

Interpreting Difficult," which had been presented as part of a larger training on interpreters offered to seasoned judges at the 2012 Wisconsin Judicial College. Because of the great interest in the training videos from several states at the summit, the videos have been posted on the court's public website under the link for judges on "[Practical Tips for Working with Interpreters.](#)"

Conference attendees included Chief Justices of 14 jurisdictions and state court administrators of 32. Each state team was required to identify

priorities related to language access in their court system and to develop an action plan to address them. Members of Wisconsin's team identified the following items as priorities: 1) create judicial efficiencies when using interpreters; 2) expand availability of non-Spanish language interpreters; 3) measure effective use of interpreters; 4) research different remote interpreting options; 5) evaluate data collection needs and methods; and 6) recognize new languages. Over the next 15 months, the Director of State Courts' office, primarily through the court interpreter program, will work on addressing these priorities.

"It's inspiring to see so many judicial leaders from around the country come together to forge a clear vision for how state courts can proactively develop common solutions to common problems," said Mary C. McQueen, president of NCSC, a nonprofit organization committed to improving the administration of justice in state courts and courts around the world. ■



A five-member team from Wisconsin recently attended the National Summit on Language Access in the Courts. Wisconsin's team consisted of (from left) Deputy Director, Court Operations, Sara Ward-Cassady; Director of State Courts A. John Voelker; Supreme Court Chief Justice Shirley S. Abrahamson; Trempealeau County Circuit Court Judge John A. Damon; and Court Interpreter Program Manager Carmel Capati.

Volunteers sought for Mock Trial championship

In preparing to host the 2014 National Mock Trial Championship, the State Bar of Wisconsin is seeking volunteers to judge several 2013 Mock Trial Program competitions.

The national event will require the help of nearly 1,000 mock trial judges, but without some experience, judges may not qualify for the national competition, said State Bar of Wisconsin National Mock Trial Committee Chair Kevin Lonergan.

2013 Volunteer Dates include:

- Regional Tournaments statewide – Saturday, Feb. 9
- State Semifinals, Madison – Sunday, March 10

Volunteer shifts are from 8 a.m. to 12:30 p.m. or from 1 to 6 p.m.

The Mock Trial Program teaches high school students

about the law and the legal system while they participate in a simulated trial. Each school year, hundreds of high school students participate in the State Bar's Mock Trial program. Acting as lawyers and witnesses on both sides of a fictional case, students compete against each other in regional competitions throughout the state in February.

The winners of the semi-finals then compete before the Wisconsin Supreme Court in March. Teams are scored on their knowledge of the rules of evidence, the quality of their direct and cross examinations, and opening and closing statements. ■

For more information or to volunteer, contact Marsha Varvil-Weld, State Bar Public Education Coordinator at (608) 250-6191 or email mvarvil-weld@wisbar.org.

District One partners with Milwaukee Bar Association to welcome new attorneys

Chief Judge Jeffrey A. Kremers and Deputy Chief Judge Maxine A. White, both of Milwaukee County Circuit Court, welcomed 20 new attorneys and introduced them to the Wisconsin court system and the Milwaukee County Circuit Courts during a gathering Sept. 20.

The Milwaukee Bar Association asked if the chief judge would be interested in talking with the group, and he agreed.

"The Milwaukee Bar Association has always been such a supporter of District One judges," Kremers said. "It was a privilege to have the opportunity not only to introduce the group to the system, but also to be able to respond to their



Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court, addresses new attorneys as part of a program created in partnership with the Milwaukee Bar Association.

questions."

The group included attorneys from large firms, small firms, solo practitioners and those who were still deciding how best to use their legal education.

Kremers' presentation covered subjects such as administration and the role of the Chief Judge, an overview of the divisions of the courts, getting a courthouse pass, rotation of judges,

local rules, eFiling, the Milwaukee Praxis, and the Milwaukee Community Justice Council. The discussion was interactive and designed to provide information and introduce the new attorneys to the system. ■

Chief Judge delivers 'State of the Courts' presentation in Milwaukee

District One Chief Judge Jeffrey A. Kremers, Milwaukee County Circuit Court, delivered the annual "State of the Courts" presentation at a Milwaukee Bar Association (MBA) luncheon in Milwaukee on Oct. 24. Chief Justice Shirley S. Abrahamson and Justices Patience Drake Roggensack and Annette Kingsland Ziegler attended the event.

"The MBA has been a terrific partner with the courts," said Kremers. "While officers change every year, the support for the courts and specifically any number of court-related programs that seek to help the disadvantaged in our community and access to justice is unwavering."

More than 250 judges, commissioners and attorneys heard Kremers discuss issues, including: major projects in the courts; judicial independence and his concerns about the public display of disrespect for judges; and the judicial process. He also thanked the county executive and county board for not proposing budget cuts to the court.

Major projects mentioned by Kremers include:

- Partnership with the MBA for expansion of the self-help center that last year had over 360 volunteer attorneys and 7,500 hours valued in excess of \$650,000 to help more than 8,000 clients. County Executive Chris Abele has budgeted money to complete the build out of the center.
- Participation with the Center for Court Innovation to test how courthouse signs, interactions and conversations with defendants can have a positive impact on their understanding and willingness to follow the conditions of their sentence and their likelihood of re-offending.
- The Drug Treatment Court will soon include a veteran's initiative to link those defendants with additional services of the Veterans Administration.

- Efforts of the Milwaukee Community Justice Council to bring evidence-based decision making practices to bear on the system in four projects: CIT police training, early intervention initiatives, dosage sentencing and universal screening.

- A National Institute of Corrections grant from the Bureau of Justice Assistance for Justice Reinvestment Initiatives to use the cost savings from implementing new strategies as reinvestment to the part of the system that created the savings.

- Milwaukee's selection as a Model Court through the Wisconsin Court Improvement Project and The National Council of Juvenile and Family Court Judges to improve outcomes for children and their families in Milwaukee's juvenile courts by using national best practices to reduce out-of-home placements; improve the efficiency of the court processes; and, empower social workers.

- Project ONE: Milwaukee has been chosen as an implementation site to identify and find solutions to the problems of meeting the needs of the families who appear in our courts.

- Establishment of a Family Drug Treatment Court at the Children's Court Center to more efficiently identify, assess and treat women whose substance abuse has resulted in placement of their child in out-of-home care.

- eFiling in civil cases.

- Successful mortgage mediation program maintains strong support from the courts.

- Safe exchange grants received in Milwaukee in which the courts will play an integral role with the city of Milwaukee, Sojourner Family Peace Center and Children's Hospital to address concerns in high conflict family court cases and supervised placement in cases affected by domestic violence. ■

Wisconsin recognizes jurors during September

Courts throughout Wisconsin celebrated Juror Appreciation Month with a variety of activities held to honor jurors during September. The theme of statewide Juror Appreciation Month, which was first recognized in 2008, is *Jurors Serve Justice; Justice Serves Us All*.

In all, 83,768 people reported to a Wisconsin courthouse ready to serve on a jury during 2011, and 20,896 people served as jurors during a trial. Just like voting, jury service provides an opportunity for direct participation in our government, and each juror makes a difference, Chief Justice Shirley S. Abrahamson said.

Each county takes the initiative to recognize jurors in its own way — some activities are as simple as providing jurors with snacks or extra coffee and hanging a “thank you” banner in the courthouse lobby.

Other celebrations are a bit more elaborate, involving visits with jurors by justices, judges, and clerks of circuit court. Several counties issued press releases or submitted letters to the editor thanking jurors for their service.

Also in recognition of Juror Appreciation Month this year, *Wisconsin Lawyer* magazine, published a first-person account of jury service written by an attorney. James J. Casey Jr. served as a jury foreman in a Texas drunken driving case.

The article begins: “Recently I had the honor to serve on a jury — along with the responsibility of being jury foreman — for the sentencing phase of a criminal drunk-driving case in Bexar County (San Antonio), Texas. This article conveys my thoughts and experiences in those roles from the perspective of having previously done criminal defense work in Wisconsin. The jury experience was sad, fascinating, and memorable. In drunk-driving cases, there are no winners...”

Among some of the activities at Wisconsin courthouses this year:

- In Forest County, Circuit Court Judge Leon D. Stenz, Clerk of Circuit Court Penny Carter, and District Atty. Charles Simono marched in a parade in Crandon on Aug. 31, displaying an 8-foot-by-4-foot banner and tossing notepads, buttons, magnets and Tootsie Rolls. The group also visited schools and senior centers to discuss the importance of jurors during September.
- In Manitowoc County, the county board approved a

proclamation designating September as Juror Appreciation Month. Clerk of Circuit Court Lynn Zigmunt recorded a radio public service announcement, thanking jurors for their service. And various items, including magnets and bookmarks, were distributed to jurors.

- In Dane County, Wisconsin Supreme Court Chief Justice Shirley S. Abrahamson, Justice Patience Drake Roggensack and Chief Judge C. William Foust met with and personally thanked jurors for their service.

The Dane County Long Range Planning and the Law for the Public Committees launched an outreach program on the jury system. The program is designed to be presented to various groups including local service and business organizations, school classes, and community groups interested in learning more about jury process and court system.

- In Milwaukee County, Chief Judge Jeffrey A. Kremers discussed jury service on *Inside the County Board*, a monthly WISN-AM radio show. Audio from the broadcast can be found at:

www.county.milwaukee.gov/InsidetheCountyBoard.

The Clerk of Circuit Court’s office gave out bags, pens and post it notes and hung themed banners inside and outside the building: It was fair; I was there.

- In Calumet County, the county board passed a resolution.
- In Waukesha County, token items commemorating jury service were be distributed and banners and posters were hung at the courthouse.
- In Green County, Circuit Court Judges James R. Beer and Thomas J. Vale submitted letters to the editor thanking jurors for service and helping to uphold the right to a trial by jury.
- In Racine County, Judge Eugene A. Gasiorkiewicz

see **Jury** on page 15



Supreme Court Chief Justice Shirley S. Abrahamson visited with jurors during juror orientation as part of Juror Appreciation Month activities in Dane County Circuit Court. With her is Chief Judge C. William Foust and Dane County Jury Clerk Debra Rochon, who retired in September, after 19 years at the post.



Supreme Court Justice Patience Drake Roggensack greeted jurors during a juror orientation session in Dane County as part of Juror Appreciation Month activities. Roggensack and Dane County Clerk of Circuit Court Carlo Esqueda pose here with a proclamation designating September as Juror Appreciation Month.

OBITUARIES *continued from front page*

elected to the Milwaukee County Circuit Court in 1962. During his time on the circuit court bench, he served as a senior judge and as chief presiding judge in the felony division.

"I was fortunate to have served with Justice Coffey during his years on the Wisconsin Supreme Court, before his appointment to the U. S. Court of Appeals for the Seventh Circuit" Chief Justice Shirley S. Abrahamson said in a statement. "His long and dedicated service on both the state and federal bench will long be appreciated by the people he served. His experience earlier in his career as an assistant city attorney, municipal court judge and county court judge gave him a well-rounded perspective on the law. Our sympathies go out to his family."

Coffey successfully ran for an open seat on the Wisconsin Supreme Court in 1977, and served until his appointment to the federal court. He retired from the federal bench this past January.

In 1951, Coffey was named "Outstanding Man of the Year" by the Milwaukee Junior Chamber of Commerce. He was awarded the Marquette University Outstanding Law Alumnus of the Year in 1980, and received the Marquette University Alumni Association Merit Award for Distinguished Professional Achievement in 1985. According to the 1994 edition of *The America Bench*, Coffey had authored more than 50 important decisions as a U.S. Court of Appeals judge.

According to an obituary, Coffey is survived by his two children, seven grandchildren, and two great-grandchildren. He was preceded in death by his wife, Marion.

**Judge Richard J. Dietz
Brown County Circuit Court**

Former Brown County Circuit Court Judge Richard J. Dietz passed away on Aug. 14. He was 68. Dietz received his bachelor's degree from Marquette University and his law degree from Marquette University Law School. While working on his degrees full time, he also worked full time in the Pabst Brewery offices, according to an obituary.

Dietz was appointed to the circuit court bench in 1988 by then-Gov. Tommy Thompson. Prior to taking the bench, he worked in private practice, and served as city attorney for De Pere and the city of Green Bay. He retired in 2007, but continued to serve as a reserve judge.

"I really have enjoyed these 19 years," Dietz told *The Third Branch* at the time of his retirement. "While I'm looking forward to a different life, I am going to miss it. But there's a lot to be said for retiring while you still enjoy the job. You don't want to leave as the courthouse curmudgeon."

During his judicial career, Dietz served on the Juvenile Jury Instruction Committee and the Civil Jury Instruction Committee. He was a charter Member of the Inns of Court and served on the committee to establish the Willow Tree Child Advocacy Center. According to an obituary, he was an expert in World War II history, enjoyed Robert B. Parker detective novels, and always won at Trivial Pursuit.

He is survived by his wife, Candace; four children; and eight grandchildren. ■



Judge Richard J. Dietz

Jury *continued from page 14*

wrote a guest column entitled: Jury Service, A Citizen's Duty, which was published by *The (Racine) Journal Times*. In part, the column read: "Our nation doesn't require much of us other than paying our taxes, serving in the military during times of draft and serving on juries when called. This is a small price indeed for living in a free society with a legal system that is the envy of the world..."

- In Rock County, judges and lawyers greeted jurors and thank them for their service.
- In St. Croix County, an open house was held.

The statewide juror appreciation program was initiated by the Chief Judges Subcommittee on Juror Treatment and Selection. ■



Forest County Circuit Court staff show support for their jurors while marching in a parade. From left to right: Deputy Clerk of Circuit Court Chris Geske, Clerk of Circuit Court Penny Carter, Forest County Circuit Court Judge Leon D. Stenz, Court Reporter Jolene Jezeski, and Deputy Clerk of Circuit Court Gina Olson.

AWARDS



Sixth Judicial District judges presented Judge John R. Storck, Dodge County Circuit Court, with an award recognizing his contributions to the court system during his tenure as chief judge. The award was presented at 2012 Annual Meeting of the Wisconsin Judicial Conference by District Court Administrator Ron Ledford, left, and Chief Judge Gregory J. Potter, Wood County Circuit Court, right. Storck served the maximum six years as chief judge, including one as "chief of the chiefs," or chair of the Committee of Chief Judges.

Kerkman honored for adoption work

Kenosha County Circuit Court Judge Chad G. Kerkman was awarded the Governor's Champion of Adoption Award at the annual Governor's Outstanding Adoptive Parent award ceremony at the State Capitol in November. Kerkman received the award in recognition



Judge Chad G. Kerkman

for his efforts to raise awareness about adoption. The ceremony, which was hosted by the Wisconsin Department of Children and Families in the Assembly Chambers, was followed by a reception for families and adoption supporters. Four adoptive families were also recognized.

On Nov. 9, Kenosha County celebrated its Second Annual Adoption Day, where Kerkman oversaw the legal adoption proceedings for 12 children. The event allows many families to celebrate the milestone event together. The children receive teddy bears and tote bags to commemorate the occasion. This was the first Adoption Day ceremony Kenosha County Circuit Court Judge Jason A. Rossell has attended.

"This is amazing – the fun part of being a judge... You get to put a family together," said Rossell, who received a special teddy bear dressed as a judge, told the *Kenosha News*.

Murray named 'Jurist of the Year'

The Justinian Society of Lawyers named Milwaukee County Circuit Court Judge Marshall B. Murray its Jurist of the Year at the Nineteenth Annual Columbus Day Awards Banquet in Milwaukee in October. The society, founded in 1921, is affiliated with the National Italian American Bar Association and is one of the largest ethnic bar associations in the country. The organization sponsors a continuing legal education program and lawyer referral program, and participates in civic and community affairs to promote the ongoing respect for the legal system. ■



Judge Marshall B. Murray

Courts website receives recognition

The Wisconsin court system's website www.wicourts.gov was among state court websites featured recently in a series of articles published by the National Center for State Courts (NCSC) on "[Best Practices for State Supreme Court Websites](#)."

The articles highlighted several standing features of www.wicourts.gov, including: synopses for cases pending before the Supreme Court; the "Case of the Month" feature, which highlights one of the cases argued before the Supreme Court each month; and RSS news feeds for individual cases news releases, opinions, rules orders and oral arguments.

In addition to feeds for news releases, opinions, rules, orders and oral arguments, Wisconsin also offers the ability to subscribe to RSS feeds for individual cases. This allows reporters, attorneys and members of the public to stay up-to-date on the latest filings in cases they would like to track and follow.

In introducing the series, NCSC noted: "The practices described have been collected from a review of the uses that state high courts currently make of their websites and

identify new technological developments and applications that can assist courts in creating and disseminating information. By creating new websites, or improving their existing web presence, state courts of last resort can contribute to a better public understanding of and appreciation of their work." ■

The screenshot shows the NCSC website interface. At the top, it says "Trusted Leadership. Proven Solutions. Better Courts." and "National Center for State Courts". There is a search bar and a "MY CENTER LOGIN" section. Below the navigation menu, the main content area is titled "Best Practices for State Supreme Court Websites" and dated "October, 2012". The text describes guidelines for improving state supreme court websites. A sidebar on the left lists various categories like "State Justice", "Technology & Financial Innovation", etc. On the right, there is a graphic with the words "look", "user", "usability" and a "NAVIGATE THE REPORT" button.

Fall
2012

PEOPLE

Justice **David T. Prosser** addressed a group of legislators and legislative staffers who gathered in Madison Oct. 10 for a professional development seminar hosted by the National Conference of State Legislatures.

In his remarks, Prosser drew on his experience having worked in each branch of government in discussing the relationship between the legislative and judicial branches.

Improving understanding of the judiciary as a separate but co-equal branch of government will assist both the courts and the legislative branches in carrying out their roles, Prosser told the audience at the Concourse Hotel.

He also discussed the importance of an independent and impartial judiciary. The perception that court decisions may be made based on campaign contributions is harmful to the judiciary, Prosser said. He also discussed the ramifications of not adequately funding the courts.



Justice David T. Prosser



Justice Ann Walsh Bradley

UW-Marathon County recently hosted a Wisconsin Access to Justice Commission hearing, the *Wausau Daily Herald* reported, where several

legal professionals, local residents and an Access to Justice Commission panel discussed the problems facing individuals who lack the means to

hire an attorney.

"Many people in Marathon County with jobs, homes and families contend with significant legal challenges without an attorney," key note speaker Justice **Ann Walsh Bradley** said, according to the *Daily Herald*. "The unmet needs for low income residents is great."

Justice **Patience Drake Roggensack** presented plaques to recognized retired District II Court of Appeals Judges **Harry G. Snyder** and **Daniel P. Anderson** for their years of service to the court system. The plaques were presented on behalf of the Supreme Court during a brief ceremony at the District III Court of Appeals offices in Wausau on Oct. 26.

Closure has finally come for the family of Second Lt. **James A. Des Jardins**. The World War II fighter pilot's remains were laid to rest over 60 years after he went missing, the *Green Bay Press Gazette* reported. The uncle of

Outagamie County Circuit Court Judge **John A. Des Jardins** was shot down over Germany in 1944. The remains, along with the P-51 Mustang Des Jardins was flying, were found in a tiny German village in June of 2011 (see *The Third Branch*, summer 2011).

"Our hero is finally home," U.S. Rep. **Reid Ribble**, Sherwood, said during the ceremony before the remains were buried at Fort Howard Memorial Park, according to the *Press Gazette*.

"It is a liberty that has been paid for in blood," Judge Des Jardins said to the crowd, which included many veterans. "It is an honor for me to say thank you to our veterans."



In this *Kenosha News* photo, **Debbie Boland** cuts into her graduation cake as probation agent **Jacqueline Gatlin** and *Kenosha County Circuit Judge Anthony G. Milisauskas* look on. Boland graduated from from the *Kenosha Drug and Alcohol Treatment Court* -- the fourth person to complete the minimum 18-month probation program since it began in 2009.

Kenosha News celebrated the success story of a recent *Kenosha Drug and Alcohol Treatment Court* graduate.

Debbie Boland told the paper it was the support she received from the drug court team that made the difference and helped her turn her life around.

"The only experience I had with the court was the judge knew you by the mistakes you'd made in your life," she told the *Kenosha News*. "They write you off. They don't expect you to actually be able to overcome your past. I figured it would be the same. I didn't expect the support of the Drug Court."

Boland, who began using drugs in 2008, completed 72 weeks of sobriety, made 42 court appearances and submitted to 117 drug tests to complete the program.

"I'm not saying that I'm cured, because once an addict, always an addict," Boland told the newspaper. "But they've given me that foundation. I need to build my tomorrows."

Kenosha County Circuit Court Judge Anthony G. Milisauskas, who helped Boland celebrate her graduation, told the paper that there isn't always such cause for celebration. One young woman who relapsed after 38 weeks was ordered by Milisauskas to write two obituaries.

"One of 'em you die of a drug



Supreme Court Justice **Patience Drake Roggensack** recently presented retired District II Court of Appeals Judge **Harry G. Snyder** with a plaque recognizing his years of service to the court system.



Retired District II Court of Appeals Judge **Daniel P. Anderson** receives a plaque of recognition for his years of service from Justice **Patience Drake Roggensack** on behalf of the Wisconsin Supreme Court.

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overdose today,” he explained to the newspaper. “The other one you live on for another 50, 60 years because you completed drug court.”

Lake Geneva Regional News reported on the first graduate of the Walworth County OWI Court in October. Walworth County Circuit Court Judge **David M. Reddy**, who serves as the OWI court judge, presented the graduate with a certificate of graduation and a release from probation at the ceremony, according to the *Regional News*.

As part of the OWI court program, which began about a year ago, the participants must submit to random sobriety checks and wear a monitoring bracelet, as well as attend a treatment program. Retired Judge **Robert J. Kennedy**, who served as the OWI court’s first judge, also spoke at the graduation.

Dane County’s DUI treatment court has had a very successful first year, according to the *Wisconsin State Journal*. The program now has about 50 participants, with seven graduates since the program launched last summer, for the paper reports. Four participants had been removed for failure to follow the program, which includes mandatory treatment, monitoring and testing, breathalyzer and ignition interlock device installation, and in some cases, patches that detect alcohol in sweat.

The program is designed for serious offenders with three DUI convictions and blood-alcohol counts that are at least twice the legal limit, the *State Journal* reported.

Dozens of people including judges, court staff and former colleagues gathered to recognize former *(The) Capital Times* newspaper reporter Miller during a Nov. 13 ceremony naming the press room on the eighth floor of the Dane County courthouse in Miller’s honor.

Miller, now retired, covered the courts and a few other beats during 40 years of work for *The Capital Times* for four decades. His work covering courts over the years was praised by judges, who hosted the ceremony.

Reserve Judge and former Dane County Circuit Court Judge Daniel R. Moeser, who has known Miller since both were young boys in Stoughton, called Miller “a true professional,” according to

coverage of the event.

Judge **Kevin E. Martens**, Milwaukee County Circuit Court, spoke at the Hispanic Heritage Month celebration hosted by the Department of Defense Milwaukee Military Entrance Processing Station (MEPS) on Oct. 11.

MEPS is the processing center for new recruits enlisting to serve in all branches of the military for Wisconsin and the Upper Peninsula.

Martens shared his thoughts on the contributions of Hispanics and Hispanic culture to the country, along with some personal history and statistical trends and the contributions of Hispanics in the military.



Judge Kevin E. Martens, Milwaukee County Circuit Court, is recognized by Lisha N. Jones, administrative support technician at the Milwaukee Military Entrance Processing Center in Milwaukee, where Martens spoke in recognition of Hispanic Heritage Month.

The audience included about 20 incoming recruits along with enlisted and civilian staff. The commanders at MEPS, U.S. Army Major **Evangeline Rosel** and U.S. Air Force Cpt. **Charles Day**, hosted Martens’ visit.

In a guest column published in the *Milwaukee Journal Sentinel* on Nov. 2, Chief Judge **Jeffrey A. Kremers** wrote that the increasing frequency of personal, political and baseless attacks on judges undermines respect for the independence of the judiciary and the rule of law.

“Politically based attacks on judicial decisions devalue our entire system of democracy and diminish judicial independence whichever side of the aisle you sit on. Courts are not and should not be viewed as the route to, or the basis for, political power, or advancement. Nor should they be viewed as a tool to be used by one political party or the other...”

“The most important responsibility of the judicial branch of government is the appropriate exercise of the power of judicial review. No other power is so fundamentally critical to the rule of law and the system of checks and balances upon which our republic is based. Without the ability of the judicial branch to review and “check” the other two branches, the independence of the judiciary as one of the three coequal branches of government would be truly illusory...”



Reserve Judge Daniel R. Moeser, right, addressed the dozens of people who gathered in a Dane County Circuit Court courtroom in honor of former newspaper reporter Mike Miller. Looking on is Miller, left, and Chief Judge C. William Foust.



Chief Justice Shirley S. Abrahamson greets former *Capital Times* reporter Mike Miller during a ceremony held in Miller’s honor at the Dane County Courthouse on Nov. 13.

Milwaukee County Justice Center to grow

The [Milwaukee County Justice Center](#) (MJC), which provides *pro se* civil litigants who can't afford an attorney limited legal support, is growing.

In November, the Milwaukee County Board approved a capital improvement budget allocating \$423,000 for a newly-constructed space, combining the Milwaukee Justice Center and the Legal Resource Center (law library). The Milwaukee Bar Association Foundation is committed to raising a \$375,000 matching grant for the MJC portion of the project. The expansion will give the MJC a permanent, and consolidated home for all of its projects, including the Family Law Clinic and Brief Legal Advice Clinic. The expansion will also allow the MJC to serve its quickly-growing client base.

"It is remarkable to be on the cusp of this expansion," MJC Executive Director Atty. Dawn Caldart says. "The additional space will transform the way we deliver services."

The MJC is a cooperative project between Milwaukee County, the Milwaukee Bar Association, and the Marquette University School of Law. Its mission is to provide *pro se*

civil litigants with greater access to justice, whether it's by assisting with filling out legal forms that are difficult for *pro se* litigants to understand, or providing brief legal advice on a one-time basis to individuals.

From the opening of the current clinic in calendar 2009 until the end of calendar 2011, the MJC has assisted more than 15,000 clients total between its Family Law Self-Help Desk and Brief Legal Advice Clinic. The center is expected to serve more than 11,500 clients, marking a 43-percent year-over-year increase, Caldart said.

In addition to helping clients, the center helps the court system, said Milwaukee County Clerk of Circuit Court John Barrett. "We now have a professional place here in the courthouse to send people who need procedural help, without having to worry about legal advice issues, or about courthouse workers appearing unhelpful."

The center also helps the Milwaukee Bar Association accomplish several of its goals, such as improving access to justice for Milwaukee County residents, and supporting the county courts, said MBA President Atty. Charles H. Barr. ■

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"Justice Bradley calls for more women in the judiciary," headlined an article in the October *Wisconsin Law Journal*, which reported only 14 percent of the state's circuit court judges are women.

"As a profession we've come a long way. As a judiciary, we have a long way to go," the *Law Journal* quoted Justice **Ann Walsh Bradley** saying at a conference at Marquette University Law School.

"As women, our life experiences have prepared us to ask difficult questions," Bradley went on to say. "Having people who have different life experiences changes the conversation.

Milwaukee Atty. Diane Diel agrees with Bradley, according to the *Law Journal*.

"Women judges are required to create that diversity of perspective."

Bradley said she did see some hope for the future, as 39 percent of the incoming students at UW Law School, and 45 percent of the incoming students at Marquette University Law School were female, according to the article.



Chief Judge Mary K. Wagner

When asked by the *Wisconsin Law Journal* what word she overuses, Chief Judge **Mary K. Wagner**, Kenosha County Circuit Court, answered "malarkey."

"That has been a word in my vocabulary since I was about 12. It came from my mother," Wagner told the *Law Journal*.

She also said her mother played a role in what led her to pursue a career in the law. She told the *Law Journal* when she was in middle school, her mother hired a female attorney named **Doris Vaudreuil**, and seeing such a

professional woman inspired her. She said she was also inspired by another individual she witnessed during the court proceeding.

"While Mrs. Vaudreuil was doing her work, I saw the

person on the bench making the decisions," she was quoted as saying. "That was intriguing."

When asked what she was most proud of in her career, she said her work in the juvenile court, again reflecting back on her childhood.

"I had such a wonderful childhood," she answered. "I think it's important to make every effort to see if other kids can have something even close to it."

"I tried to decide between being a lawyer and being a museum curator, and decided one was a better vocation and the other a better avocation," Reserve Judge **Gary Schlosstein** told the *La Crosse Tribune*.

Schlosstein, who served as a circuit court judge for 38

years before retiring in 1990, opened the Castle Arms and Armor Museum in 2011 to display his collection of artifacts he told the paper he began collecting at the age of 10.



Reserve Judge Gary Schlosstein stands next to "Max," a full set of armor from 1520 at the Castlerock Museum in Alma, Wis.

The *Tribune* recounts his story of purchasing a Civil War musket in a thrift store for \$3. Since then, his collection has grown so large, he told the paper he has lost count of just how many pieces of weapons, armor and artwork he has. But there is one item in the collection of special importance to him.

"I still have that musket I bought when I was 10," he told the paper. ■

Outreach efforts highlighted in Manitowoc

Judge Lisa S. Neubauer, District II Court of Appeals, visited with the Manitowoc County Bar Association in October to discuss outreach programs. As a member of the State Bar of Wisconsin Bench Bar Committee, Neubauer is encouraging local participation in outreach programs, including Chief Justice Shirley S. Abrahamson's initiative – Courts Connecting with Communities.

The Manitowoc County Circuit Court, legal community and educators have a history of community education and outreach efforts. Manitowoc County Circuit Court Judge Patrick L. Willis led several outreach efforts, including his Law Day tradition of presiding over mock trials of the *State of Wisconsin v. The Big Bad Wolf*. More than 10,000 second graders have participated in this outreach programs in Willis' courtroom over the past 12 years. ■



Recently gathering to discuss Manitowoc County court outreach activities were (back row, from left) Keary Bilka, Manitowoc County Bar president; Reserve Judge Donald Poppy; and Jeffrey Dunn, Manitowoc County Bar secretary/treasurer. Front row, from left: Judge Lisa S. Neubauer, District II Court of Appeals; Manitowoc County Circuit Court judges Patrick L. Willis, Jerome L. Fox, and Gary L. Bendix; and Mrs. Jean Willis.

WRIPA celebrates 60th anniversary

By Jenell Anderson, Secretary, Wisconsin Register in Probate Association

This year marks the 60th anniversary of the Wisconsin Register in Probate Association (WRIPA). At this year's spring conference held in Manitowoc, the group celebrated with an anniversary cake and a slide show put together by Sally Lunde, register in probate for Waukesha County. WRIPA had its first organizational meeting on April 25, 1952, and the very first training conference was held in September of 1952. The association continues to hold bi-annual educational conferences to this day. The membership consists of registers and deputy registers in probate from most counties in the state.

The association takes pride in being a unified body for the purpose of fulfilling the duties of our offices efficiently and effectively as dictated by law. We find that the educational training conferences provide our offices with the most current information regarding changes in the law and our responsibility to assist all individuals who must deal with probate and guardianship matters.

In the past several years, numerous changes to statutes have led to the on-going revision of state mandated forms, the creation of many new forms, and the association's involvement in the process. Members of the association serve as representatives on several committees such as the Records Management Committee, CCAP Steering and CCAP Probate Design. One of our main goals is to have some uniformity throughout the state as to how business is handled in the probate office.

We are proud of our most recent achievements – the creation of the WRIPA website and a guide book for self-represented personal representatives to use in informal administrations. We encourage all to check us out at www.wripa.org. ■



The Wisconsin Registers in Probate Association recently celebrated the organization's 60th anniversary. Celebrating, from left to right, are: association officers: Nancy Dowling, Vice-President (Crawford Co.), Amy Franzen, President (Oneida Co.), Julie Kayartz, Treasurer (Columbia Co.) Former President Kay Stelzner (Chippewa Co.) and Secretary Jenell Anderson (Polk Co.).

Wisconsin Access to Justice Commission focuses on closing the justice gap

By Gregg Moore, President, Wisconsin Access to Justice Commission

Access to the civil justice system for low-income individuals continues to be a major societal concern in



Gregg Moore

Wisconsin and throughout the country. As noted in the State Bar of Wisconsin's groundbreaking 2007 study, [Bridging the Justice Gap: Wisconsin's Unmet Legal Needs](#), more than 500,000 of our state's residents face serious legal problems without any legal assistance. Repeated surveys in the Wisconsin court system have also highlighted the challenges posed by the growth in self-represented litigants. The

elimination of all state funding for civil legal services to the indigent from the FY 2011-2013 state budget has made a challenging situation considerably more difficult.

In 2009, at the request of the State Bar, the Wisconsin Supreme Court established the Access to Justice Commission to develop and encourage means of expanding access to the civil justice system for low-income Wisconsin residents (see SCR [Chapter 14](#)). The commission works with judges, bar leaders, legal services providers and many others to find and promote solutions.

In its recent second annual report, the Access to Justice Commission describes 10 accomplishments and highlights of the past year, from funding for legal services to limited scope representation to appointment of counsel to an education video. On our [website](http://www.wisatj.org), www.wisatj.org, you can review our most recent [annual report](#), watch our "Access to Justice Matters" video and learn more about the commission.

The commission recently completed six public hearings around the state to gather information, raise awareness and solicit suggestions for improving access to the civil justice system. In addition to commission members, hearing panelists included legislators of both parties and both houses, supreme court justices, court of appeals and circuit court judges, state bar leaders, county board supervisors, philanthropy representatives, business and faith-based leaders, congressional staff and social services providers.

More than 125 individuals spoke at the hearings in Eau Claire, Green Bay, La Crosse, Madison, Milwaukee and

Wausau. Speakers included judges, lawyers, legal services providers, court commissioners, volunteer attorneys, religious leaders, social service agencies, and self-represented litigants. Others provided written testimony. With the generous support of volunteers from the Wisconsin Court Reporters Association, written transcripts have been produced for each hearing.

As one judge testified at the hearing, "The Constitution requires that a litigant, whether they be rich or poor, has a meaningful opportunity to present their case." Some of the messages that we heard repeatedly at the hearings were: (1) the unmet legal need for civil legal services is huge and growing; (2) the loss of state funding has meant a dramatic cut in staffing and services provided by legal aid programs; (3) everyone, from citizens, to social services providers, attorneys, judges and court staff see the value in having greater access to a range of legal assistance options; and (4) the legal community has an important role to play but cannot solve the problem alone if we hope to close the justice gap. The commission is preparing a written report on the public hearings that will be available and widely distributed early in 2013.

Echoing the message from the Wisconsin court system, the Access to Justice Commission has written Department of Administration Secretary Mike Huebsch asking that funding for civil legal services to the indigent be restored in the FY 2013-2015 state budget. Approximately \$2 million of state funding had been distributed to the Wisconsin Trust Account Foundation in FY 2009-2010 and \$2.5 million in FY 2010-2011. WisTAF used that state appropriation to make grants to agencies providing civil legal services to Wisconsin's most vulnerable residents.

As noted in the commission's letter to Huebsch, "With the elimination of all state funding for civil legal services from the 2011-2013 biennial budget, Wisconsin became one of only four states that provides no state funding for this critically important issue. By way of contrast, other Midwestern states budget an average of \$7.6 million per year for civil legal services for the poor."

In conclusion, the commission's 17 members are deeply committed to improving access to the civil justice system for low-income individuals. We welcome suggestions, advice and help from any concerned citizen, and particularly judges and court staff. ■

Grant to support Dane County visitation center

The Dane County Circuit Court and three human service agencies in Dane County have been awarded a grant from the U.S. Department of Justice's Office on Violence Against Women to develop a supervised visitation center.

Dane County Circuit Court Judge John C. Albert, head of the circuit court's family division, said \$50,000 of the grant will be used to plan the center, and \$150,000 will be used to implement the supervised visitation program during the next three years.

"All of the four stakeholders are enormously pleased with their successful application for this grant as a supervised visitation center has long been needed in Dane County,"

Albert said.

In addition to the circuit court, the other partners in the grant application included the Dane County Department of Human Services, Domestic Abuse Intervention Services and the Children's Service Society of Wisconsin.

Visitation centers provide a place for noncustodial parents, separated and/or divorced parents to visit their children while monitored by a trained volunteer. Centers also provide a safe and neutral site for exchanges, where parents can pick up and drop off their children at staggered times to avoid contact with each other. ■

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New firearm surrender resources available for domestic abuse and harassment cases

By Amber Peterson, Circuit Court Policy and Procedure Advisor

The Office of Court Operations and the Office of Justice Assistance (OJA) have developed resources for counties interested in implementing firearm surrender protocols.

Although Wisconsin law requires a respondent subject to domestic-abuse and some harassment injunctions to surrender his or her firearms, the statutes are silent as to a procedure for ensuring the respondent complies with the court's surrender order.

To help fill this gap, this firearm surrender protocol (protocol) was initially developed by the OJA Violence Against Women Advisory Committee and the Governor's Council on Domestic Abuse.

In 2010, OJA awarded money to four counties – Outagamie, Sauk, Waushara, and Winnebago – to implement and test the protocol as a pilot project. A final report on the pilot was issued in March 2012 and it showed that implementing follow up steps to ensure compliance with the court's firearm surrender order was a viable, low cost option that did not add significantly to judges' workloads. The report is available on OJA's website at:

www.oja.state.wi.us/programs/vawa/docs under the link "Firearm Surrender Demonstration Project Report."

In June 2012, the Committee of Chief Judges voted to recommend the firearm surrender protocol as a best practice. Court Operations worked with OJA to adapt the protocol and create forms and procedures to use in conjunction with a county's existing temporary restraining order and injunction procedure. These resources are available on CourtNet under the heading "Firearm surrender best practice recommendations."

Some highlights of the protocol include:

- Identifying Firearms Early: A new form titled *Respondent's Statement of Possession of Firearms* is served on the

respondent with the temporary restraining order. This form requires the respondent to state whether he/she possess any firearms. The respondent is required to submit this form to the court at the injunction hearing.

- Setting a Timeline for Surrender: If the court determines that the respondent possesses a firearm, the respondent is ordered to surrender the firearm within 48 hours of the injunction hearing.

- Following Up on Surrender: The court schedules a firearm surrender hearing one week from the injunction hearing to ensure that the respondent surrenders his/her firearms. The hearing is removed from the calendar if the respondent submits proof of surrender to the court before the hearing.

- Third Party Presence: If the respondent wishes to surrender firearms to a third party, the third party is required to be present in court.

- Notice to Petitioner: The petitioner can choose to receive notice if the respondent asks the court to return his/her firearms if the injunction is vacated or when it expires.

Staff from Court Operations and OJA are available to speak with any county or judicial district interested in learning more about the protocol. Presentations have been made to the First, Second, and Tenth Judicial Districts and some counties are already in the process of implementing firearm surrender hearings. Ultimately, the goal is to ensure compliance with the court's firearms surrender order to help protect domestic abuse and harassment victims' safety. ■

For more information about the firearm surrender protocol, contact Amber Peterson in the Office of Court Operations at (608) 267-7764 or amber.peterson@wicourts.gov.